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JUL 15 2011

N.J. BOARD OF NURSING

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5TH Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Nursing

By: Barbara J.K. Lopez
Deputy Attorney General
Tel. (973) 648-7454

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
ROBIN R. REATH, RN	:	
License No. 26NR15578800	:	CONSENT ORDER
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information that the Pennsylvania Board of Nursing took disciplinary action against Robin Rene Reath's ("Respondent's") license to practice nursing. Respondent has held a license to practice nursing in the State of Pennsylvania since 2003.

In or about July 2011, Respondent submitted an application

to the New Jersey State Board of Nursing for licensure by endorsement of her Pennsylvania license. On her application, Respondent indicated that she was not aware of any pending investigation against her license to practice nursing in Pennsylvania. On her application, Respondent provided no information which would prompt further investigation by the Board. The Board granted Respondent's application and issued a New Jersey license to practice on August 18, 2011.

Respondent now maintains that she initially tested positive for marijuana after returning home from her honeymoon in or around 2008 and entered Pennsylvania's Voluntary Recovery Program via a July 2009 Consent Order based upon that positive screen. By Preliminary Order dated September 19, 2011 and Final Order dated June 14, 2012, Respondent's license to practice nursing in the State of Pennsylvania was suspended based upon her violation of the agreement she had with the Voluntary Recovery Program by failing to timely submit prescriptions for pain medication, testing positive for alcohol, and failing to pay for and submit to drug screens.

Respondent failed to self-report, pursuant to N.J.A.C. 13:37-5.9(a)(4), the Pennsylvania disciplinary action to the New Jersey Board.

On or about September 19, 2012, Respondent's license to practice nursing in Pennsylvania was reinstated and she was placed on probation for two years, subject to monitoring by the Professional Health Monitoring Program (PHMP) and/or Pennsylvania Nurse Peer Assistance Program (PNAP). Respondent resides in New Jersey and transferred to the New Jersey Board of Nursing's designated intervention program, the Recovery and Monitoring Program of the Institute for Nursing (RAMP), in December 2013.

The Board having determined that by failing to inform the New Jersey Board that her license had been suspended in Pennsylvania, Respondent failed to comply with the provisions of a regulation administered by the Board within the intendment of N.J.S.A. 45:1-21(h); that Respondent's history of suspension in the state of Pennsylvania for violating her agreement with a voluntary recovery program warrants testing and monitoring to evaluate whether continued practice in New Jersey may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and treatment as may be necessary to properly discharge nursing functions pursuant to N.J.S.A. 45:1-22(e); and that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for

other good cause shown;

IT IS on this 15th day of July, 2014

HEREBY ORDERED AND AGREED that:

1. Respondent is hereby reprimanded for her violations of N.J.S.A. 45:1-21(h).

2. Respondent shall remain enrolled in and comply with all of the terms and conditions of participation in the RAMP program. Respondent shall cause RAMP to inform the Board in writing if Respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation. Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide RAMP with a complete copy of the within Order.

3. Respondent shall follow the recommendations by RAMP and/or the evaluator for further treatment and/or lengthier enrollment in RAMP. Respondent shall limit her nursing practice, if recommended by RAMP, which may include Respondent placing her license in inactive status. In the event Respondent inactivates her New Jersey license upon the recommendation of

RAMP, Respondent shall not practice nursing in any other jurisdiction.

4. Respondent shall provide a release to RAMP allowing RAMP to provide pertinent reports, records and other information pertaining to Respondent to the Board. Respondent's signature on this order signifies Respondent's waiver of any right to confidentiality with respect to these matters between Respondent, RAMP, and the Board, and Respondent's agreement that the Board may utilize any such reports, records and other information it receives from RAMP in any proceeding regarding Respondent's licensure and that the Board may release any pertinent information in its possession to RAMP.

5. Respondent shall refrain from the use of any and all potentially addictive substances, including alcohol, except as prescribed by an authorized health care practitioner who is made aware of Respondent's substance use history and the Board's requirement that Respondent participate with RAMP. Respondent shall report any such use to RAMP in writing within five days of receiving such a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.

6. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, as required by RAMP. She shall attend individual counseling and psychiatric treatment until successful discharge, if required by RAMP.

7. Respondent shall submit to random observed urine, hair, nail, or blood screens if and as required by RAMP. Respondent's failure to submit to or provide a sample when requested shall be deemed to be a violation of the terms of this Order. All screens shall be negative for the presence of alcohol or drugs, unless the drugs detected by screening were properly taken pursuant to a valid prescription from a health care practitioner aware of Respondent's substance abuse history, if applicable.

8. Respondent shall be responsible for all costs of screens, enrollment/participation fees associated with RAMP, and/or further treatment and monitoring, if applicable.

9. Respondent shall work only in settings approved by RAMP, and shall have access to or responsibility for administering, dispensing or ordering potentially addictive substances in the course of his employment, only if approved by RAMP. Respondent shall not work more than 12 hours (excluding

any additional time needed to meet documentation requirements) within any 24 hour period nor more than 40 hours per week (excluding any additional time needed to meet documentation requirements), unless approved by RAMP.

10. Respondent shall provide to RAMP any and all reports required pursuant to her RAMP contract, including reports from her employer or self-evaluation reports.

11. Respondent shall notify RAMP within 10 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.

12. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to RAMP acknowledging receipt of a copy of the within Order and its terms.

13. Respondent shall remain in RAMP until successful completion of or release from the program. Upon successful completion of RAMP, Respondent shall notify the Board in writing. Unless Respondent has successfully completed or been released from RAMP, and received written notification from the

Board that she is released from the requirements of this Order, Respondent may not modify the conditions of this order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification request, and must then enter into a new, modified agreement with the Board in the event the Board grants Respondent's petition for modification.

14. Respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of nursing in the State or jurisdiction in which she practices nursing. Respondent shall report to the Board within ten (10) days any arrest, indictment or conviction for any crime or disorderly persons offense.

15. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, Respondent's license may be automatically suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding Respondent was materially false. In

addition, the Board reserves the right to bring further disciplinary action.

16. Respondent shall provide a copy of this Consent Order to PHMP/PNAP within fifteen days of filing and shall cooperate to ensure coordination and communication between the Pennsylvania programs and RAMP.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy PhD APN
Patricia Ann Murphy, PhD, APN
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.

Robin R. Reath
Robin R. Reath, RN

Consent as to form and entry:

Kathleen M. Gialanella
Kathleen M. Gialanella, Esq.
Attorney for Respondent